IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE
WRIT PETITION NO.6806 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. a.M. Joshi, for the Petitioner
Mr. R.D. Rane, Govt. Pleader for Respodnent Nos. 1 and 2.
CORAM : F.I. REBELLO &
DR. D.Y.CHANDRACHUD, JJ.
DATED : 24th October,2005

P.C.

. The petitioner had earlier filed a petition in this Court. That petition is allowed to be withdrawn by order dated January 7, 2005 to enable the petitioner to file a Civil Suit. The petitioner thereafter filed a Civil Suit. That suit has been dismissed on the ground that Civil Court has no jurisdiction. An appeal preferred has been dismissed. In view of that the petitioner approached this Court.

2. Prima facie in so far as the issue which is involved in this petition namely reduction in pay scale there is no remedy provided to the petitioner before the

Tribunal. Once that be the case prima facie there will be no ouster of jurisdiction of the Civil Court. That being the case, the petitioner has a remedy by way of First Appeal.In the light of that no interference called for.It will be open to the petitioner to pursue the remedy which he is entitled in law. With the above observation petition disposed of.

(F.I. REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)